

1-1 By: West S.B. No. 107  
1-2 (In the Senate - Filed November 12, 2012; January 29, 2013,  
1-3 read first time and referred to Committee on Criminal Justice;  
1-4 March 13, 2013, reported favorably by the following vote: Yeas 6,  
1-5 Nays 0; March 13, 2013, sent to printer.)

1-6 COMMITTEE VOTE

1-7	Yea	Nay	Absent	PNV
1-8	Whitmire	X		
1-9	Huffman	X		
1-10	Carona		X	
1-11	Hinojosa	X		
1-12	Patrick	X		
1-13	Rodriguez	X		
1-14	Schwertner	X		

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to the disclosure by a court of criminal history record  
1-18 information that is the subject of an order of nondisclosure.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 411.081, Government Code, is amended by  
1-21 amending Subsection (a) and adding Subsection (g-3) to read as  
1-22 follows:

1-23 (a) This subchapter does not apply to criminal history  
1-24 record information that is contained in:

1-25 (1) posters, announcements, or lists for identifying  
1-26 or apprehending fugitives or wanted persons;

1-27 (2) original records of entry, including police  
1-28 blotters maintained by a criminal justice agency that are compiled  
1-29 chronologically and required by law or long-standing practice to be  
1-30 available to the public;

1-31 (3) public judicial, administrative, or legislative  
1-32 proceedings;

1-33 (4) court records of public judicial proceedings,  
1-34 except as provided by Subsection (g-3);

1-35 (5) published judicial or administrative opinions; or

1-36 (6) announcements of executive clemency.

1-37 (g-3) A court may not disclose to the public any information  
1-38 contained in the court records that is the subject of an order of  
1-39 nondisclosure issued under this section. The court may disclose  
1-40 information contained in the court records that is the subject of an  
1-41 order of nondisclosure only to criminal justice agencies for  
1-42 criminal justice or regulatory licensing purposes, to an agency or  
1-43 entity listed in Subsection (i), or to the person who is the subject  
1-44 of the order. The clerk of the court issuing an order of  
1-45 nondisclosure under this section shall seal any court records  
1-46 containing information that is the subject of the order as soon as  
1-47 practicable after the date the clerk of the court sends all relevant  
1-48 criminal history record information contained in the order or a  
1-49 copy of the order to the Department of Public Safety under  
1-50 Subsection (g).

1-51 SECTION 2. The change in law made by this Act applies to the  
1-52 disclosure on or after the effective date of this Act of information  
1-53 that is the subject of an order of nondisclosure issued under  
1-54 Section 411.081, Government Code, regardless of whether the order  
1-55 is issued before, on, or after the effective date of this Act.

1-56 SECTION 3. This Act takes effect September 1, 2013.

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